

**ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022**  
**COMMITTEE STATEMENT**  
**LB815**

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**Hearing Date:** Monday February 28, 2022  
**Committee On:** Business and Labor  
**Introducer:** McKinney  
**One Liner:** Adopt the Diaper Changing Accommodation Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	5	Senators Blood, Gragert, Hansen, M., Hunt, Lathrop
<b>Nay:</b>		
<b>Absent:</b>		
<b>Present Not Voting:</b>	2	Senators Halloran, Hansen, B.

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**Oral Testimony:**

**Proponents:**

Claire Wiebe  
Scout Richters  
Edison McDonald  
Paul Breitreutz

**Representing:**

Planned Parenthood  
ACLU Nebraska  
ARC of Nebraska  
Self

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 815 requires a place of public accommodation with a restroom to be equipped with a diaper changing station.

**SECTION BY SECTION SUMMARY:**

Sec. 1: Shall be known as the Diaper Changing Accommodation Act

Sec. 2: The legislature finds that safe, sanitary, convenient and accessible diaper changing station is a matter of statewide concern and public benefit.

Sec. 3: Baby diaper changing station means a table or other device suitable for changing the diaper of a child three years of age or younger.

Building Inspector is the local building inspector.

Local Permitting means any political subdivision with such power.

Place of Public Accommodation means Place of public accommodation means a place of business offering or holding out to the general public goods, services, privileges, facilities, advantages, and accommodations for the peace, comfort, health, welfare, and safety of the general public and such public places providing food, shelter, recreation, and amusement and

includes, but is not limited to: (a) Any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as such proprietor's residence; (b) Any restaurant, bar, or other establishment serving food or drink for consumption on the premises Any gasoline station, including all facilities located on the premises of such station and made available to the patrons thereof; (d) Any motion picture house, theater, concert hall, stadium or other place of exhibition or entertainment; (e) Any auditorium, convention center, lecture hall, other place of public gathering; (f) Any public facility owned, operated, or managed by or on behalf of this state or any agency or subdivision thereof which is open to public; and (g) Any retail establishment that is open to the public for the sale of goods or services;

Substantially renovated means a renovation of a restroom requiring a permit and estimated to cost in excess of ten thousand dollars.

Sec. 4: Every place of public accommodation constructed or substantially renovated after the operative date of this act with public restrooms shall provide at least one changing station in a men's room and women's room or at least 1 changing station to be used by anyone in a neutral bathroom.

These requirements are in addition to any local requirements.

This does not apply to a place that doesn't have a public restroom, doesn't allow people under 18 on the premises, or is located within another place of public accommodation.

An exemption to this act is available if the building inspector determines it is necessary.

Sec. 5: A signage requirement to be placed near the entrance of the restroom.

Sec. 6: This act does not create a private right of action.

Sec. 7: This act becomes operative on January 1, 2023

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Ben Hansen, Chairperson